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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

Curtis Anthony Day,	)	Case No. 2:24-cv-00137-JDP
Plaintiff,	)	SECOND STIPULATION AND
vs.	)	<del>PROPOSED</del> ORDER FOR
	)	EXTENSION OF TIME
Martin O'Malley, Commissioner of	)	
Social Security <sup>1</sup> ,	)	
Defendant.	)	

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 4-day extension of time, from June 10, 2024 to June 14, 2024, for Plaintiff to serve on defendant with Plaintiff's Motion for

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<sup>1</sup> Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's second request for an extension of time. Plaintiff requests this extension in good faith and with good cause. Counsel for Plaintiff was recently assigned to this matter. During the week of June 3, 2024 counsel had three merit briefs, two EAJA negotiations, and five agency level reviews. Counsel for Plaintiff was further limited due to ongoing issues with migraines. Counsel requires additional time to brief the issues thoroughly for the Court's consideration. Defendant does not oppose the requested extension. Counsel apologizes to the Defendant and Court for any inconvenience this may cause.

Respectfully submitted,

Dated: June 10, 2024

PENA & BROMBERG, ATTORNEYS AT LAW

By: /s/ Dolly M. Trompeter  
DOLLY M. TROMPETER  
Attorneys for Plaintiff

Dated: June 10, 2024

PHILLIP A. TALBERT  
United States Attorney  
MATTHEW W. PILE  
Associate General Counsel  
Office of Program Litigation, Office 7


By: \*/s/ Christopher Vieira  
Christopher Vieira  
Special Assistant United States Attorney  
Attorneys for Defendant  
(\*As authorized by email on June 10, 2024)

1 **PROPOSED ORDER**

2  
3 Pursuant to stipulation,

4  
5 IT IS SO ORDERED.

6  
7 Dated: June 12, 2024

  
JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE